

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>MICHAEL RINALDI,</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 1:13-cv-450</b>
<b>v.</b>	:	
	:	<b>(Judge Rambo)</b>
<b>UNITED STATES OF</b>	:	
<b>AMERICA, <i>et al.</i>,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, this 26<sup>th</sup> day of November 2019, for the reasons set forth in the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Plaintiff's motion for leave to amend (Doc. No. 88) is **GRANTED IN PART** and **DENIED IN PART**, as follows:
  - a. The motion (Doc. No. 88) is **GRANTED** with respect to Plaintiff's proposed addition of Beaver and Raup as Defendants;
  - b. The motion (Doc. No. 88) is **DENIED** with respect to Plaintiff's proposed addition of John Doe as a Defendant;
2. The Clerk of Court is directed to docket Plaintiff's amendment (Doc. No. 88-1) as an attachment to Plaintiff's original complaint (Doc. No. 1) and to add Officer N. Beaver and Lieutenant R. Raup to the docket as Defendants in this matter;
3. This matter shall therefore proceed with respect to Plaintiff's failure to protect claim against Defendants Baysore, Kissell, Gee, Beaver, and Raup;
4. In accordance with Federal Rule of Civil Procedure 4(c)(3), the Clerk of Court is directed to **SERVE** a copy of the complaint and attachment (Doc. No. 1), notice of lawsuit and request to waive service of summons (form AO 398), waiver of the service of summons (form AO 399), and

this Order on Defendants Beaver and Raup. In the interests of efficient administrative judicial economy, the Court requests that Defendants Beaver and Raup waive service pursuant to Federal Rule of Civil Procedure 4(d);

5. If service is unable to be completed due to Plaintiff's failure to properly name the Defendants or provide accurate mailing addresses for Defendants Beaver and Raup, Plaintiff will be required to correct this deficiency. Failure to comply may result in the dismissal of Plaintiff's claims against the Defendants pursuant to Federal Rule of Civil Procedure 4(m); and
6. In accordance with the Court's October 30, 2019 Order (Doc. No. 90), Defendants Baysore, Kissell, and Gee are directed to file any dispositive motions and briefs within thirty (30) days of the date of this Order.

s/Sylvia H. Rambo  
Sylvia H. Rambo  
United States District Judge